

DECISION RECORD for DOI-BLM-NV-S020-2014-0002-EA

Compliance

The Proposed Action alternative of this Environmental Assessment (EA) DOI-BLM-NV-S020-2014-0002-EA, is in conformance with the approved land use plans and is consistent with applicable plans and policies of county, state, tribal and federal agencies. The action is tiered to and is consistent with the Final Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) (BLM 2007). The action is also in conformance with the Las Vegas Field Office Fire Management Plan (2004) for the Red Rock High Elevation Planning Unit, the Las Vegas Field Office Noxious Weed Plan (2006) and all applicable BLM Emergency Stabilization and Rehabilitation (ESR) manuals, handbooks, and guidance. The proposed action follows the plan detailed in the Carpenter 1 Fire ESR Plan (2013).

The Proposed Action is in compliance with the Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. 1701 et seq.), and conforms with the BLM Red Rock Canyon National Conservation Area (RRCNCA) Resource Management Plan (May 2005). The "Vegetation" section of the RRCNCA RMP Record of Decision includes management actions to restore plant productivity on disturbed areas and to maintain or improve the condition of vegetation communities.

Selected Action

It is my decision to authorize the Proposed Action for Carpenter 1 Fire ESR activities as described in DOI-BLM-NV-S020-2014-0002-EA. I have determined, pursuant to 40 CFR 1508.2, that the Proposed Action with the mitigation measures described in the Finding of No Significant Impact (FONSI, incorporated herein), will not have any significant detrimental effects on the human environment and thus does not require the preparation of an Environmental Impact Statement (EIS).

Stabilization and rehabilitation of the Carpenter 1 burned area will consist of a combination of treatments including seeding/planting with native species, weed monitoring and treatment, soil stabilization and slope protection, armoring of culvert headwalls, and repair of minor infrastructure. Fencing, gates, and signs may also be installed in order to enforce area closure (analyzed under a separate EA), provide for public health and safety, and allow the burned area to recover by minimizing disturbance.

Compliance with NEPA:

This document is prepared in compliance with the National Environmental Policy Act (NEPA). The proposed action was analyzed in EA # DOI-BLM-NV-S020-2014-0002-EA. Through this analysis, the proposed action was found to have no significant detrimental impacts, and thus the preparation of an EIS will not be required.

Public Involvement:

This analysis has been scoped and reviewed internally by BLM resource specialists to ensure that all natural resources, cultural resources, and resource uses are being responded to sensitively and appropriately. Input from the resource specialists has been incorporated into the analysis of EA # DOI-BLM-NV-S020-2014-0002-EA. Upon a decision, the EA and associated documents

will be uploaded to the NEPA register website where the public may view them as well as view a project summary.

Rationale:

The decision to authorize the Proposed Action does not result in any undue or unnecessary environmental degradation. The Proposed Action conforms with and implements measures of the RRCNCA Resource Management Plan. Additionally, analysis from the EA shows that the proposed action will have positive impacts on the following resources: Invasive Species/Noxious Weeds, Wildlife, Vegetation, Migratory Birds, Water Resources / Quality, Visual Resources, Socioeconomics, Soils, Wild Horses and Burros, Recreation, Human Health and Safety, and Fuels/Fire Management.

Alternatively, taking no action would result in negative impacts to the resources listed above and pose potential safety risks due to flooding and debris flow. Additionally, taking no action could result in outcomes that are not in compliance with the RRCNCA Resource Management Plan.

Appeal or Protest Opportunities:

This decision will take effect immediately upon the date it is signed by the authorized officer and shall remain in effect while any appeal is pending, unless the Interior Board of Land Appeals (IBLA) issues a stay. This decision may be appealed to the IBLA, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4 and Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office within 30 days of the decision. The appellant has the burden of showing that the decision appealed is in error.

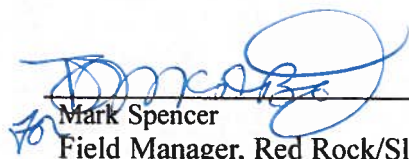
If you wish to file a petition pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the IBLA and the appropriate office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof in demonstrating that a stay should be granted.

Standards for obtaining a stay

Except as otherwise provided for by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting a stay.

Authorizing Official:


for Mark Spencer

Field Manager, Red Rock/Sloan Field Office

3/10/14

Date

Contact Person

For additional information concerning this Finding, contact:

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